

## **§ 237.31**

### **§ 237.31 May a fellowship be awarded for two consecutive years?**

A Christa McAuliffe fellow may not receive an award for any two consecutive years.

(Authority: 20 U.S.C. 1113b(a)(2))

### **§ 237.32 What records and reports are required from fellows?**

Each fellow shall keep any records and submit any reports that are required by the Secretary.

(Authority: 20 U.S.C. 1113d(a))

### **§ 237.33 What is the service requirement for a fellowship?**

(a) Except as provided in paragraph (b) of this section, a fellow must return to a teaching position in the fellow's current LEA, private school, or private school system for at least two years following the completion of the fellowship.

(b) In the case of extenuating circumstances (for example, temporary disability), a fellow has a five-year period in which to fulfill the two-year teaching requirement in paragraph (a) of this section.

(Authority: 20 U.S.C. 1113b(a)(2), 1113d)

[54 FR 10966, Mar. 15, 1989]

### **§ 237.34 What are the requirements for repayment of the fellowship?**

(a) If a fellow does not carry out the activities described in the approved application or does not comply with § 237.33, the fellow shall make repayment in accordance with this section.

(b) The Secretary prorates the amount a fellow is required to repay based on the length of time the fellow carried out the fellowship activities, and held a teaching position in accordance with § 237.33 compared to the length of time that would have been involved if the fellow has fully met these requirements.

(Authority: 20 U.S.C. 1113e)

## **34 CFR Ch. II (7–1–02 Edition)**

## **PART 263—INDIAN FELLOWSHIP AND PROFESSIONAL DEVELOPMENT PROGRAMS**

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263.40 How are payments made?

AUTHORITY: 20 U.S.C. 7832 and 7833, unless otherwise noted.

SOURCE: 61 FR 46338, Aug. 30, 1996, unless otherwise noted.

### **Subpart A—General**

### **§ 263.1 What are the Indian Fellowship and the Professional Development Programs?**

(a) The Indian Fellowship Program provides fellowships to enable Indian

students to pursue a course of study leading to—

(1) A postbaccalaureate degree in medicine, law, education, psychology, clinical psychology, or a related field; or

(2) An undergraduate or postbaccalaureate degree in business administration, engineering, natural resources, or a related field.

(b) The Professional Development Program provides grants to eligible entities to—

(1) Increase the number of qualified Indian individuals in professions that serve Indian people;

(2) Provide training to qualified Indian individuals to become teachers, administrators, teacher aides, social workers, and ancillary educational personnel; and

(3) Improve the skills of qualified Indian individuals who serve in the capacities described in paragraph (b)(2) of this section.

(c) The Indian Fellowship and the Professional Development Programs require individuals who receive training under either program to—

(1) Perform work that is related to the training received under either program and that benefits Indian people or to repay all or a prorated part of the assistance received under the program; and

(2) Report to the Secretary on the individual's compliance with the work requirement.

(Authority: 20 U.S.C. 7832 and 7833)

#### § 263.2 Who is eligible to apply under the Indian Fellowship Program?

In order to be eligible for a fellowship, an applicant must be—

(a) An Indian as defined in § 263.3;

(b) A United States citizen;

(c) Currently in attendance or have been accepted for admission as a full-time undergraduate or graduate student at an accredited institution of higher education in one of the fields listed in § 263.4 or a related field;

(d) Recognized by the institution as a degree candidate; and

(e) Eligible under 34 CFR 75.60.

(Authority: 20 U.S.C. 7833; 20 U.S.C. 1221e-3(a)(1) and 3474)

#### § 263.3 What definitions apply to the Indian Fellowship and Professional Development Programs?

(a) *Definitions in EDGAR.* The following terms used in this part are defined in 34 CFR 77.1:

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(b) *Other definitions.* The following definitions also apply to this part:

*Dependent allowance* means costs for the care of minor children who reside with the fellow and for whom the fellow has responsibility.

*Expenses* means tuition and required fees; required university health insurance; room, personal living expenses, and board at or near the institution; dependent allowance; instructional supplies; and reasonable travel and research costs associated with doctoral dissertation completion.

*Fellow* means the recipient of a fellowship under the Indian Fellowship Program. The term “fellow” also includes individual project participants under the Professional Development Program with regard to the payback provisions contained in §§ 263.35 through 263.37.

*Fellowship* means an award under the Indian Fellowship Program.

*Full course load* means the number of credit hours that the institution requires of a full-time student.

*Full-time student* means a student who—

(1) Is a degree candidate;

(2) Carries a full course load; and

(3) Is not employed for more than 20 hours a week.

*Good standing* means a cumulative grade point average of at least 2.0 on a 4.0 grade point scale in which failing grades are computed as part of the average, or another appropriate standard established by the institution.

*Graduate degree* means a postbaccalaureate degree awarded by an institution of higher education beyond the undergraduate level.

*Indian* means an individual who is—

(1) A member of an Indian tribe or band, as membership is defined by the Indian tribe or band, including any tribe or band terminated since 1940, and any tribe or band recognized by the State in which the tribe or band resides; or